

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHEILA M. CASTRO,

Defendant.

8:07CR407

8:11CR395

ORDER

Defendant Sheila M. Castro (Castro) appeared before the court on March 2, 2012, on the Petitions for Warrant or Summons for Offender Under Supervision (Petitions) (Filing No. 36 - 8:07CR407 and Filing No. 2 - 8:11CR395). Castro was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by Special Assistant U.S. Attorney Martin J. Conboy, IV. Through her counsel, Castro waived her right to a probable cause hearing on the Petitions pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petitions allege probable cause and that Castro should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Castro declined to present any evidence or request a hearing on the issue of detention. Since it is Castro's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that she is neither a flight risk nor a danger to the community, the court finds Castro has failed to carry her burden and that Castro should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on March 8, 2012**. Defendant must be present in person.

2. Defendant Sheila M. Castro is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 2nd day of March, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge